

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TUNGSTEN HEAVY POWDER AND
PARTS, INC.,

Plaintiff.

v.

GLOBAL TUNGSTEN & POWDERS
CORPORATION and DOES 1-10,

Defendants.

No. 4:17-CV-01948

(Judge Brann)

ORDER

AND NOW, this 1st day of February 2018, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant Global Tungsten & Powders Corporation's Motion to Dismiss the Complaint (ECF No. 5) is **GRANTED**.
2. Plaintiff Tungsten Heavy Powder and Parts, Inc.'s Complaint (ECF No. 1) is **DISMISSED** without prejudice for lack of subject matter jurisdiction.
3. Plaintiff will have **twenty-one (21) days** from the date of this Order within which to file an amended complaint, to the extent it can do so consistent with diversity of citizenship jurisdictional requirements under 28 U.S.C. § 1332. In the event Plaintiff fails to file an amended

pleading within the aforementioned timeframe, this civil action will be closed by further Order of Court.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge